

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

_____)	
Fishman Haygood Phelps Walmsley,)	
Willis & Swanson, LLP, <i>and all others</i>)	
<i>similarly situated,</i>)	
)	Case No. 1:09-CV-10533 PBS
Plaintiffs,)	
)	
v.)	
)	
State Street Corporation, State Street)	
Bank & Trust Co., State Street Bank &)	
Trust Co. of New Hampshire, and)	
State Street Global Advisors,)	
)	
Defendants.)	
_____)	

**DEFENDANTS' ASSENTED-TO MOTION TO CONTINUE HEARING ON MOTION
TO COMPEL**

Defendants State Street Corporation, State Street Bank & Trust Company, State Street Bank & Trust Company of New Hampshire, and State Street Global Advisors respectfully request that the Court continue the hearing on Plaintiff's Motion to Compel Additional 30(b)(6) Witness Testimony, presently scheduled for March 4, 2009 at 2:30 PM.

In support of the requested continuance, Defendants state that the counsel who defended the deposition that is the subject of the Motion, and will be arguing the Motion on behalf of Defendants, has a conflict resulting from an earlier-scheduled mediation of a securities class action litigation before the Honorable Layne Philips (Ret.) in New York City on March 3-4. Defense and Plaintiff's counsel have conferred and Plaintiff assents to the motion. For the convenience of the Court, the parties have conferred on mutually agreeable dates, and subject to

the approval of the Court, are available to appear on the Motion on March 23, April 9, or April 13, 14, or 15.

WHEREFORE, for the reasons stated above, Defendants respectfully request that the Court grant this motion to continue.

Dated: February 8, 2010

Respectfully submitted,

/s/ Lori A. Martin

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State Street Bank and Trust Company of New
Hampshire, and State Street Global Advisors*

CERTIFICATE OF SERVICE

I hereby certify that on February 8, 2010, I caused a copy of this Document and its attachments to be served electronically, via the electronic filing system, on the registered participants as identified on the Notice of Electronic Filing (NEF) and by first-class mail on those indicated as non-registered participants.

/s/ Lori A. Martin

Lori A. Martin